

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ADIDAS AMERICA, INC and ADIDAS  
SALOMON AG,

Plaintiffs,

05-CV-120-ST

ORDER

v.

KMART CORPORATION; FOOTSTAR, INC.;  
MERCURY INTERNATIONAL TRADING CORP.;  
ELAN IMPORTS CO., INC.; NEXTTEC  
INTERNATIONAL, INC.; and INNOVATIVE  
CUSTOM BRANDS INTERNATIONAL, INC.

Defendants.

**CHRISTOPHER M. HANES**

Kilpatrick Stockton, LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, GA 30309  
(404) 815-6500

**JERRE B. SWANN**

Kilpatrick Stockton, LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, GA 30309  
(404) 815-6500

**R. CHARLES HENN, JR.**

Kilpatrick Stockton, LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, GA 30309  
(404) 815-6500

**STEPHEN M. FELDMAN**

Perkins Coie, LLP  
1120 NW Couch Street, 10<sup>th</sup> Floor  
Portland, OR 97209  
(503) 727-2058

**THOMAS R. JOHNSON**

Perkins Coie, LLP  
1120 NW Couch Street, 10<sup>th</sup> Floor  
Portland, OR 97209  
(503) 727-2176

**WILLIAM H. BREWSTER**

Kilpatrick Stockton, LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, GA 30309  
(404) 815-6500

Attorneys for Plaintiffs

**CRAIG D. BACHMAN**

Lane Powell, PC  
601 SW Second Avenue, Suite 2100  
Portland, OR 97204  
(503) 778-2120

**KENNETH R. DAVIS II**

Lane Powell, PC  
601 SW Second Avenue, Suite 2100  
Portland, OR 97204  
(503) 778-2121

Attorneys for Defendants Kmart Corporation and  
Footstar, Inc.

**KENNETH R. DAVIS II**

Lane Powell, PC  
601 SW Second Avenue, Suite 2100  
Portland, OR 97204  
(503) 778-2121

**STEPHEN J. HORACE**

Lathrop & Gage, LC  
4845 Pearl East Circle, Suite 300  
Boulder, CO 80301  
(720) 931-3000

Attorneys for Defendant Elan Imports Co., Inc.

**JOEL P. LEONARD**

Holland & Knight, LLP  
2300 US Bancorp Tower  
111 SW Fifth Avenue  
Portland, OR 97204  
(503) 243-2300

**SETH H. ROW**

Holland & Knight, LLP  
2300 US Bancorp Tower  
111 SW Fifth Avenue  
Portland, OR 97204  
(503) 517-2931

Attorneys for Defendant Mercury International  
Trading Corp.

**BROWN, Judge.**

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#193) on July 6, 2006, in which she recommended this Court grant Defendant Mercury International Trading Corporation's Motion to Dismiss the Complaint for Lack of Personal Jurisdiction and Improper Venue (#42) with respect to lack of personal jurisdiction and deny the Motion as moot with respect to improper venue.

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the Findings and Recommendation *de novo*.

*United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (2003)(*en banc*). Having reviewed the legal principles, the Court does not find any clear error.

**CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#193). Accordingly, the Court **GRANTS** Defendant Mercury International Trading Corporation's Motion to Dismiss the Complaint for Lack of Personal Jurisdiction and Improper Venue (#159) with respect to lack of personal jurisdiction and **DENIES** the Motion **as moot** with respect to venue.

IT IS SO ORDERED.

DATED this 28th day of August, 2006.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge